

In the United States Court of Appeals
for the Ninth Circuit

UNITED STATES OF AMERICA,
Plaintiff-Appellee,

v.

CASE No. 24-7203

BENJAMIN MARTIN,
Defendant-Appellant

D.C. No. 1:21-CR-228-NODJ-BAM

**APPELLANT’S MOTION FOR EXTENSION OF TIME FOR FILING
OPENING BRIEF**

The Defendant, BENJAMIN MARTIN, pursuant to Ninth Circuit Rule 31-2.2(b), moves for an extension to file his Opening Brief and as grounds for the substantial need for this extension, declares as follows:

- 1) The brief is currently due to be filed on August 20, 2025, and this motion is filed at least seven (7) days prior to that date.
- 2) The issue on this appeal is whether the presidential pardon received by the Appellant applies to the offense herein. The United States Office of the Pardon Attorney is currently reviewing this issue under Case No.: **P322296**. A favorable decision by that office would obviate the need for further briefing in this matter.
- 3) The Appellant requests an extension of **sixty (60) days** from the current due date of **August 20, 2025**, up to and including **October 20, 2025**.
- 4) No party objects to this request. On the contrary, undersigned counsel has

been in regular contact with counsel for the Appellee, Nirav Desai, and is authorized to represent to the Court that he has no opposition to the requested extension.

WHEREFORE, based upon the foregoing, the Appellant respectfully requests that the Court grant the requested relief.

Respectfully submitted,

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Certificate of Service

I certify that a copy of this motion and the notice of electronic filing was sent by CM/ECF on August 13, 2025.

Respectfully submitted,

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